



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/001,287	10/31/2001	Peter T. Fayette	34878-1006	3810

7590 09/21/2004
Peter R. Martinez
LUCE, FORWARD, HAMILTON & SCRIPPS
11988 El Camino Real
suite 200
San Diego, CA 92130

EXAMINER

SALATA, ANTHONY J

ART UNIT	PAPER NUMBER
----------	--------------

2837

DATE MAILED: 09/21/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/001,287	Applicant(s) FAYETTE ET AL.	
	Examiner Jonathan Salata	Art Unit 2837	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 2-26-04.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-39 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-39 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

Art Unit: 2837



UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office
ASSISTANT SECRETARY AND COMMISSIONER OF PATENTS AND
TRADEMARKS
Washington, D.C. 20231

Paper No: 09162004
Serial Number: 10/001287
Filing Date: October 31,2001

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-9,15-17,19-27,30,31,37,38,39 are rejected under 35 U.S.C. 103(a) as being unpatentable over Doigan et al (5606154) and Newville et al (6349797).

1,37,39) Doigan et al teaches in figures 1-6, an elevator advertising system.

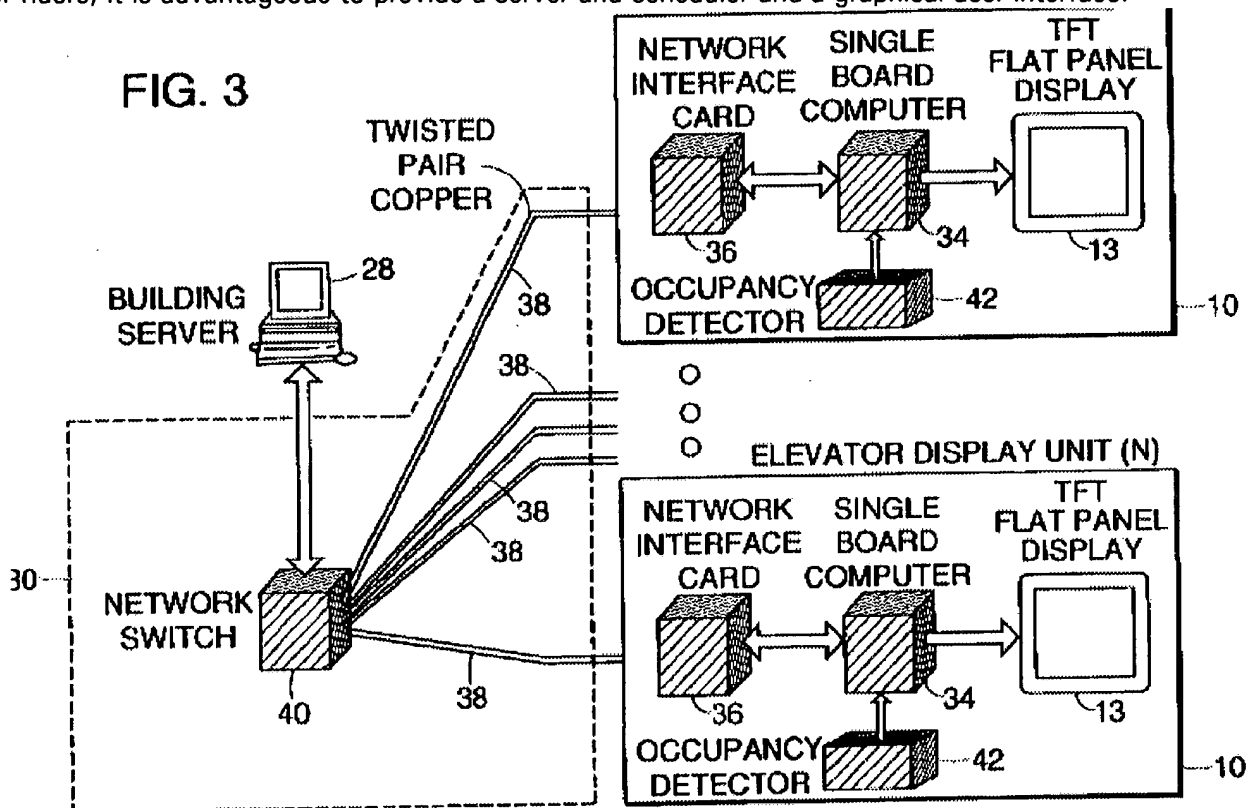
A display (not shown) is positioned in the corridor or cab (not shown) and provides an advertising display based upon data from the elevator management system EMS (not shown). The

Art Unit: 2837

EMS determines ad enable based on hall calls, wait time etc. The display provides specific ads based on the wait time, time of day etc. to persons in the corridor or cab.

Doigan does not illustrate the details of the cab controller.

Newville teaches that for improved display which provides relevant and useful information to elevator riders, it is advantageous to provide a server and scheduler and a graphical user interface.



As illustrated in figure 3, a display unit 10 of an elevator car, contains a computer 34, network card 36 and building server 28 which provides a display 13 for a rider (not shown).

The display is only operated if occupancy detector 42 determines that a rider is present (elevator control). The determination is made based on passenger entry and exit. Network interface card 36 routes the display data directly to the display 13 and receives both display data from server 28 as well as control information. In the upstream direction, (claim 39) occupancy data and system monitoring is provided.

Art Unit: 2837

Figure 19 further illustrates the distribution system and specifically states that processor which accesses the content file is not limited to the server 328 but may be part of the display unit 310.

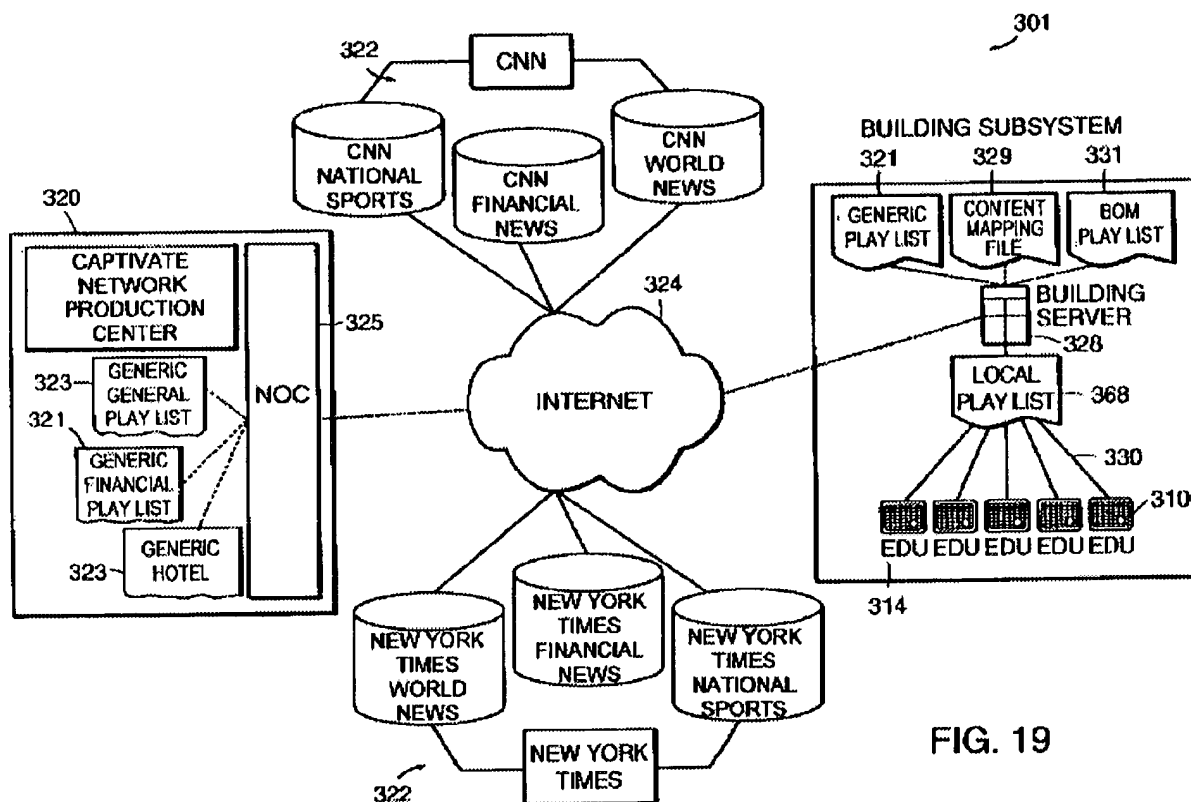


FIG. 19

Thus, to utilize the cab/advertising controller of Neville et al with the advertising controller of Doigan et al in order to provide more relevant display data to riders based on control information such as occupancy detection, would have been an obvious engineering design choice to one of ordinary skill in the art.

2) Doigan states time of day tests 42,43.

3) Doigan et al states wait time tests 26,27.

4) Neville figures 4,13,19.

15,23) Doigan et al states that ads can be displayed when the door is open but should not be done

Art Unit: 2837

for safety concerns.

20,38) Doigan states day map/time map videos, col. 4,5.

22) Billing module 66.

24,27) Doigan et al states in Background Art, not playing for safety concerns.

5-12,19,21,25,26,30,31,33,34) Newville et al teaches that for an advertising screen for an elevator, it is advantageous to provide multiple displays such that advertisers can interact with the passengers and such that the ride is more pleasant.

Figures 4,13 illustrate the types of displays which include general information, events, traffic, schedules and building related information (emergency, testing). The number and locations of the displays are based on personal preference. Thus, the limitations as to the type and size of the displays are considered a matter of convenience.

Occupancy detectors (video) determine if passengers are present to view the ads.

3. Claims 10-14,16-18,28,33,34 are rejected under 35 U.S.C. 103(a) as being unpatentable over Doigan et al and Newville et al as applied to claims 1-9,15-17,19-27,30,31,37,38,39 above, and further in view of Amo (5844181).

Doigan et al and Newville et al do not state the specifics of the display duration, audio, internet or wireless communication.

Amo teaches that for an elevator display controller, it is advantageous to provide a remote control for the display units to provide advertising via a server system for automated updates and time sensitive information.

10-14,18) Col. 5, lines 42-45) state that multiple numbers of screens are scheduled for display and can be displayed for any predetermined length of time.

22) Broadcast schedule (figure 5)

28) Sound (col. 5, line 50).

Art Unit: 2837

33) City servers 114 use links 112 which are telephone lines, wireless or suitable communications.

34) Wireless is the preferred communication system,(col. 3, lines 59-65)

39) The displays are each individually addressable (col. 4, lines 59-65) and diagnostic data or maintenance data can be returned (col. 5, lines 59-64).

Thus, to utilize the display/communication for a server supplied elevator display system, would have been an obvious engineering design choice to one of ordinary skill in the art to allow for automated updates and time sensitive information for the displays.

4. Claim 29 is rejected under 35 U.S.C. 103(a) as being unpatentable over Doigan et al and Newville et al as applied to claim 1 above, and further in view of Yabe et al (5132681).

Doigan et al and Newville et al do not illustrate a keypad but Newville et al does state a user interface.

Yabe et al teaches that it is advantageous to provide a keypad for a display system for a building. News and information as well as other controls are possible via a screen 6 with touch icons 22. The icons allow a menu of choices for greater access by a user.

Thus, to utilize an icon for increase display information in a screen system with multiple displays would have been an obvious engineering design choice to one of ordinary skill in the art.

5. Claims 32,35,36 are rejected under 35 U.S.C. 103(a) as being unpatentable over Doigan et al and Newville et al as applied to claim 1 above, and further in view of Tsuji (4839631).

Doigan et al and Newville et al do not illustrate security cameras.

Tsuji states that the use of security cameras are known within the art. As illustrated, the placement of the cameras in the cab 1a, hallway 3 and outside entrance 4a is shown. The

Art Unit: 2837

use of the cameras provides increased security. Thus, to utilize known devices such as security cameras to improve the security of an elevator installation would have been an obvious engineering design choice to one of ordinary skill in the art.

6. Applicant's arguments filed 2-26-04 have been fully considered but they are not persuasive.

Claim 1, requires a cab computer communicating with a control system and server and display communicating with cab computer.

Discussed within Doigan and shown in figures 3,19 of Newville. Specifically computer 34, server 28 and control item 42 (detector) and display 13.

Wherein the cab computer receives data from elevator control and choosing information content based on the data.

42 communicates to computer 34 and control data flow within Newville and as stated above, the tests performed by Doigan to determine ad selection.

Displaying information content shown as display 13 in Newville.

No limitations are seen within the claimed invention as to the "information content" limited to "specific type of ad. It is pointed out the Newville teaches the use of categories for ad content. It is also not seen in the claims where content is chosen based on a different source.

Claim 37 requires an elevator cab located in a building which "presents information".

Figure 1 of Newville, building 14 and elevators 12 with displays 10.

Generating information content remote from the building

Newville figure 1 element 20.

Sending the content to an apparatus in the building

Art Unit: 2837

Newville figure 1, elements 22,24 and server 28.

Relaying elevator control data to the apparatus

Newville states control data in computer 34 to server 28.

Queuing content based on control data

Newville playlist 68, database 94, detector 98

Forwarding to cab

Display server 122 , LAN 30.

It is not seen in the claims where the detector need be part of the "original elevator installation."

The remaining claim arguments are based on the independent claims.

7. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry of a **general nature** should be directed to the **Group receptionist whose telephone number is (703) 308-0956.**

Papers related to this application may be submitted to Group 2800 by facsimile transmission. Papers should be faxed to Group 2800 via the PTO 2800 Fax Center located at Crystal Plaza 4. The faxing of such papers must conform with the notice published in the Official Gazette, 1096 O.G. 30 (November 15,1989). The Group 2800 CP 4 Fax Center Before Final number is (703) 872-9318 or After Final number is (703) 872-9319.

Art Unit: 2837

Information regarding the **STATUS** of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either private PAIR or public PARI. Status information for unpublished applications is available through Private PAIR ONLY. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Any questions on access to PAIR, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

For assistance in Patent procedure, fees or general Patent questions calls should be directed to the Patents Assistance Center (PAC) whose telephone number is 800-786-9199. Assistance is also available on the Internet at www.uspto.gov.

For requesting **copies** of Cited Art, Office Actions or the like, or General Problem solving, calls should be directed to the TC 2800 Customer Service Office whose telephone number is 703-872-9317 or by fax at 703-872-9317.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jonathan Salata whose telephone number is (571) 272-2073. The examiner can normally be reached on Monday through Thursday from 6:30 am to 2:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Martin, can be reached on (571) 272-2107.

ajs
September 16, 2004


JONATHAN SALATA
PRIMARY EXAMINER
ART UNIT 2837